

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

LINDA S. COCHRAN,)
Plaintiff,)
v.) CIVIL ACTION NO. 1:09cv540-CSC
MICHAEL J. ASTRUE,)
COMMISSIONER OF SOCIAL)
SECURITY,)
Defendant.)

OPINION and ORDER

On December 10, 2009, the defendant filed a motion to remand (doc. # 15). According to the Commissioner, a remand pursuant to sentence four of 42 U.S.C. § 405(g) would permit the Appeals Council to

remand this case to an ALJ, who will conduct a *de novo* hearing and issue a new decision. On remand, the ALJ will be directed to: (1) properly consider and weigh all the medical opinion evidence of record, including the opinions of Drs. Hilton and Estock; (2) re-evaluate Plaintiff's residual functional capacity pursuant to Social Security Ruling (SSR) 96-8p; and (3) receive supplemental vocational expert testimony, based on a hypothetical question that accurately represents Plaintiff's residual functional capacity, and determine whether she is capable of performing her past relevant work, or if necessary, any other work which exists in significant numbers in the national economy.

(Def's Mot. to Rev. & Remand, doc. # 15, at 1-2).

The plaintiff consents to the remand for further consideration of her claims. The parties have consented to entry of final judgment by the United States Magistrate Judge. *See* 28 U.S.C. § 636(c). The court concludes the motion to remand should be granted.

Accordingly, it is

ORDERED that the defendant's motion to remand (doc. # 15) be and is hereby GRANTED. The court will enter a final judgment reversing and remanding this case for further proceedings as specified in the Commissioner's motion.

Done this 11th day of December, 2009.

/s/Charles S. Coody
CHARLES S. COODY
UNITED STATES MAGISTRATE JUDGE